



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

DEVAL L. PATRICK  
Governor

TIMOTHY P. MURRAY  
Lieutenant Governor

IAN A. BOWLES  
Secretary

LAURIE BURT  
Commissioner

Dear Sir or Madam:

Enclosed is a Notice of Final License Determination in the matter of a request by Environmental Compliance Corporation (ECC) for a renewal of its hazardous waste facility license. MassDEP did receive written comments regarding the draft license during the 45-day public comment period.

The final ECC license is available for review at the following locations in Stoughton:

- Stoughton Board of Health, 10 Pearl Street, Stoughton, MA 02072.
- Stoughton Town Library, 84 Park Street, Stoughton, MA 02072.

We wish to thank all of those who participated in the licensing process.

Sincerely,

[SIGNATURE ON ORIGINAL]

\_\_\_\_\_  
Steven A. DeGabriele, Director  
Business Compliance Division  
Bureau of Waste Prevention

9/19/2007  
Date: \_\_\_\_\_

Enclosure: Notice of Final License Determination



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**NOTICE OF FINAL LICENSE DETERMINATION**

IN RE: Issuance of Final Hazardous Waste Facility License #31B/07

ISSUED TO: Environmental Compliance Corporation (ECC)  
441R Canton Street  
Stoughton, MA 02072  
EPA ID NUMBER: MAD062179890

Environmental Compliance Corporation, (ECC) is a hazardous waste storage facility operating under the terms of Massachusetts Hazardous Waste Facility License #31B/07, issued by the Massachusetts Department of Environmental Protection ("MassDEP"). Earlier this year, after completing a technical review of ECC's application for a license renewal, MassDEP prepared a draft license. MassDEP provided the public with 45-days to comment on the draft license from July 2, 2007 through August 16, 2007, pursuant to the public participation requirements cited at 310 CMR 30.800. Notice of the draft license was given in the Stoughton Journal on June 29, 2007, and copies of the draft license were available for public review at the Stoughton Board of Health, Stoughton Town Library, the US Environmental Protection Agency, Region I - New England Office in Boston, MassDEP's Boston office and its Southeast Regional office in Lakeville. During the 45-day public comment period, MassDEP received written testimony regarding the draft license from one party. None of these comments resulted in a change to the draft license. The Department's response to comments it received are summarized in the document titled "Summary Response to Comments" attached to this notice. The MassDEP hereby grants Environmental Compliance Corporation (ECC) a final hazardous waste facility license, No. 31B/07.

Several minor revisions initiated by the MassDEP are included in Attachment A as revision pages. These pages shall be incorporated into the final license.

The final license is available for public review at the locations listed in the attachment to this notice.

Any person aggrieved by this decision may request an adjudicatory hearing before the Department pursuant to the "Appeal Rights and Time Limits" procedures attached.



The final license shall become effective either: (a) twenty-one (21) days after the date of this notice of the final license determination pursuant to 310 CMR 30.838(1), unless the final license determination is appealed during the 21 day period; or (b) at the conclusion of the adjudicatory hearing process, pursuant to M.G.L. c.21C and c.30A, and 310 CMR 1.00.

[SIGNATURE ON ORIGINAL]

9/19/2007

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Steven A. DeGabriele, Director  
Business Compliance Division  
Bureau of Waste Prevention

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Date

Attachments: Appeal Rights and Time Limits  
Attachment A, Revision Pages



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## FACT SHEET

**Environmental Compliance Corporation  
441R Canton Street  
Stoughton, MA 02072  
EPA#MAD062179890**

### **Draft Hazardous Waste Facility License (renewal)**

This Fact Sheet summarizes the content of the Draft Hazardous Waste Facility License (Draft License) prepared by the Department of Environmental Protection (Department) for Environmental Compliance Corporation (ECC) pursuant to M.G.L. c. 21C and 310 CMR 30.000. This Fact Sheet was prepared in accordance with the provisions of 310 CMR 30.832, "Draft Facility License".

#### **I. Purpose of the Licensing Process**

The purpose of the licensing process is to afford the Department, the U.S. Environmental Protection Agency (EPA), local government, and citizens the opportunity to evaluate the ability of a license applicant to comply with the applicable hazardous waste management regulations promulgated under M.G.L. c. 21C and 310 CMR 30.000.

Facilities which treat, store and/or dispose of hazardous waste must be designed and safely operated to protect the people of Massachusetts from the dangers of improperly handled hazardous waste. Stringent licensing requirements are intended to ensure that those who accept hazardous waste are qualified to do so. Before issuance of any hazardous waste facility license, pursuant to M.G.L. c. 21C and 310 CMR 30.000, the Department is required to prepare a Draft License. The Draft License sets forth in one document all the applicable requirements that a licensee is required to comply with during the 5-year duration of the license.



## **II. Procedures for Reaching a Final Decision**

Massachusetts Hazardous Waste Regulation, 310 CMR 30.833, requires that the Department shall give public notice of the Draft License and allow at least a forty-five (45) day public comment period. The Public Notice will be published in the Stoughton Journal on June 29, 2007. The public comment period for this Draft License will begin on July 2, 2007, and will end on August 16, 2007. Any person interested in commenting on the Draft License must do so within this comment period. Written comments must be submitted to:

Department of Environmental Protection  
Bureau of Waste Prevention  
Business Compliance Division  
One Winter Street, 7th Floor  
Boston, Massachusetts 02108  
Attention: Tom Adamczyk

The Department will schedule an informal public hearing on the Draft License if, during the comment period or within 15 days of the close of the comment period, the Department receives written notice requesting an informal public hearing, or if it determines on its own that there is significant public interest in the Draft License. Written and oral comments will be accepted at the hearing.

In making a final decision, the Department will consider all written comments received during the comment period, all verbal comments received at a public hearing if held, and the requirements of the Massachusetts Hazardous Waste Regulations 310 CMR 30.000. The Department will then make a final determination to issue or deny a hazardous waste facility license to ECC.

The Department will give notice of its final license decision to ECC and each person who has submitted written comments or has requested notice of the final license decision. A final license decision becomes effective 21 days after the date of the notice of the decision. The final license decision will be postponed if a request for an adjudicatory hearing before the Department is made within the 21-day period.

## **III. Facility Description and History**

### **A. General Facility Description**

ECC operates a waste oil storage and treatment facility on a 2.5 acre site at 441R Canton Street in Stoughton. The site is about 380 feet north of Canton Street on a parcel of land bounded on the north by the Massachusetts Bay Transit Authority (MBTA) railroad tracks, and on the south and east by residential properties. The facility is located about one mile west of the center of Stoughton, and approximately nineteen miles south of Boston.

The facility consists of a consolidated tank farm containing eleven tanks with the total storage capacity of 223,241 gallons, two processing units used to filter particulates from

the waste as it is transferred from tanker trucks to storage tanks, a drum storage rack with capacity to store up to forty (40) fifty-five gallon drums, a wastewater treatment facility permitted by the Massachusetts Water Resources Authority (MWRA) and a building containing ECC's business office and laboratory.

ECC's primary business is commercial storage and treatment of waste oil and oily/non-oily wastewater. The facility is authorized to accept nonflammable waste oil and petroleum-contaminated solids from a variety of sources including hazardous waste generators, spill cleanup actions and site remediation operations.

Wastes are received at ECC as bulk waste in tanker trucks or as containerized waste in Department of Transportation compliant drums. Waste oil and oily wastewater are treated in tanks using a combination of gravity separation to separate the water/oil layers, heating to disperse emulsions, and the addition of flocculants to remove suspended solids. The treated waste oil is sold as specification used oil fuel and off-specification used oil fuel, and the oil contaminated water is treated in ECC's wastewater treatment facility and discharged to the MWRA system.

## **B. Facility History**

The property at 441R Canton Street in Stoughton, Massachusetts, was first developed by Walent Coal Company, which began operations at the site in 1940. The Walent Fuel Company, as it was later known, used the site for the unloading of coal containing railcars located on the adjacent railroad into concrete bins for storage and distribution, and at a later time installed tanks for the storage and distribution of home heating oil. Robert Dee purchased the property for Jet-Line Services in 1972 and the following year Jet-Line Services, Inc. started to transport, store, and treat waste oil. Jet-Line later expanded its operations to include tank cleaning.

Jet-Line Services, Stoughton received RCRA Interim Status authorization to operate a hazardous waste facility in 1980 and operated under a Massachusetts Interim Hazardous Waste Facility License from January 1981 to September of 1991: In September of 1991 Jet-Line received a comprehensive license (Part B License) from the Department to operate as a hazardous waste storage and treatment facility. Jet-Line Services operated the facility until March 1993.

In March 1993, Jet-line Services was purchased by ECC Acquisition Corporation based in North Carolina. ECC Acquisition Corporation operated the facility until August 2001. On August 16, 2001, United Oil Recovery, Inc. (UOR), a company based in Meriden, CT, acquired the ECC facility. UOR currently owns and operates the ECC facility.

#### **IV. Authorized Waste Management Activities**

##### **A. Authorized Storage of Hazardous Waste**

**A.1. ECC is authorized to store the following hazardous wastes described in Table A.**

**TABLE A**  
**WASTES AUTHORIZED FOR STORAGE**

<b><u>Waste Code</u></b>	<b><u>Description</u></b>
<b>MA01</b>	Waste Oil, Oil/Water Mixtures, Oily Solids**
<b>D001</b>	Ignitable waste†, 310 CMR 30.122, petroleum waste (flash point $\geq 100$ but $< 140$ degrees Fahrenheit)
<b>D004-D011*</b> <b>D018-D019*</b> <b>D021-D029*</b> <b>D035-D037*</b> <b>D039-D043*</b>	Toxicity Characteristic (TC) (310 CMR 30.125) Wastes. TC wastes acceptable for storage only as a constituent/contaminant of petroleum include: Petroleum Contact Wastewaters, Waste Oil/Water Mixtures, Waste Oil, and Oily and Non-Oily Solids; and TC Non-Petroleum Wastewaters (excluding flammable, corrosive, reactive, and any listed hazardous wastes)
<b>MA97</b> Specification Used Oil Fuel	Regulated Recyclable Material
<b>MA98</b> Off-Specification Used Oil Fuel	Regulated Recyclable Material
<b>MA99</b>	Non-Hazardous Wastes
<b>MA97</b> Off-Specification unused fuel oil product (OSUFOP) for blending to make used oil fuel.	Regulated Recyclable Material† 310 CMR 30.212(7) and USEPA OSWER memo #9441.1994(18), flash point $\geq 100$ degrees Fahrenheit but $< 140$ degrees Fahrenheit, e.g., Kerosene, Diesel Fuel, Jet-A Aviation Fuel
None	Non-Hazardous Liquid or Solid Wastes  Off-Specification Commercial Chemical Products

\* Only as a constituent of petroleum or as non-petroleum waste waters

\*\* Oily solids coded as MA01 consists of solids such as oil soaked absorbents, soil, debris, and sludges. It could include incidental liquids that are a result of phase separation during transportation and storage.

† The Licensee may store, only in tanks, hazardous ignitable wastes that have a flash point  $\geq 100$  but  $< 140$  degrees Fahrenheit.

ECC is authorized to manage and store waste that by nature exhibits a hazardous waste characteristic identified in Table A provided the waste has not been mixed with any other hazardous waste. Waste that exhibits a characteristic of ignitability is authorized for storage only in tanks and only with a flash point  $\geq 100$  but  $< 140$  degrees Fahrenheit. Any hazardous waste other than those hazardous wastes specifically listed above is excluded from this license.

ECC is authorized to store hazardous waste generated on-site from the treatment of the above listed wastes and as part of other facility operations.

### **A.2. Prohibited Wastes**

ECC is prohibited from accepting at the facility the following wastes:

- Waste oil that has failed the rebuttable presumption test (310 CMR 30.215), i.e., waste oil with total halogens greater than 1,000 ppm composed of hazardous constituents listed in 310 CMR 30.160;
- Waste oil (used or un-used) with PCB's equal to or exceeding 50 ppm;
- Liquid wastes or virgin products/materials with a flash point under 100 degrees Fahrenheit, or solids/liquid mixtures with flash points (of any free liquid) less than 100 degrees Fahrenheit; or containerized liquid wastes with a flash point less than 140 degrees Fahrenheit;
- Any other type of hazardous waste that is hazardous due to its physical characteristics, listing in Tables 310 CMR 30.130-136, listing subject to the "mixture rule" 310 CMR.102(2)(c), or listing subject to the "derived from" rule 310 CMR 30.140(2)(b);
- Any wastes/materials restricted in accordance with the Part A application; and,
- Any reactive, explosive, biological, infectious, physically dangerous medical, radioactive or incompatible wastes, i.e., gasoline, oxidizers, biological/etiological wastes, pathological wastes, laboratory wastes (from off-site), radioactive wastes, mixed waste including radioactive oil, dioxins, explosives, pesticides\*, potentially incompatible wastes based on 40 CFR 264, Appendix V chart, DEP incompatibility group referred to in 310 CMR 30.561 and DOT compatibility guidelines, and any F, U, K, P wastes. (\*Pesticide may be accepted when it is a contaminant in a water mixture. Gasoline may be accepted when it is a contaminant in a water mixture, there no discernable and separate layer of gasoline, and has a flashpoint that is  $\geq 100$  but  $< 140$  degrees Fahrenheit.)

### **A .3. Storage of Non-Hazardous Waste**

ECC is authorized to accept, store, and treat non-hazardous waste, including off-specification commercial products that meet the exemption under 40 CFR 261.4, MA99 coded wastes and non-municipal solid waste in containers.



Examples of acceptable non-hazardous wastes include:

- unused and used industrial and commercial products
- industrial and other wastewaters
- rinse waters and cleaning solutions
- Rainwater
- spent activated carbon
- solid waste generated in normal operations of the facility
- industrial and other wastewaters

ECC is not authorized to store municipal solid waste.

The storage of non-hazardous and non-municipal solid waste shall not interfere with hazardous waste operations of the facility.

#### **A.4. Total Authorized Storage Capacity**

ECC may store a total of no more than 216,900 gallons of hazardous and non-hazardous wastes in tanks, containers, and roll-offs at the facility at any one time. Upon review of a modification request, the Department may grant approval of additional tanks and/or containers for storage of up to a total maximum aggregate volume of 250,000 gallons (grandfathered by the original license).

### **B. Conditions for Storage of Hazardous Wastes and Non-Hazardous Wastes**

#### **B.1. General Conditions**

Hazardous and Non-Hazardous Wastes shall be stored at the facility under the following conditions:

- Liquids are stored in tanks in the Containment Area A Tank Farm, and in containers in the Container Storage Area on the Drum Storage Rack; and solids are stored in roll-offs.
- Outgoing shipments of wastes may be staged in vehicles on-site, provided that ECC complies with restrictions specified in Specific Condition #11 (last two paragraphs) of the Draft License.
- ECC shall conduct all loading and offloading operations within the bermed secondary containment structures of the Transfer Area (See Fig. 2.1 of the Draft License).

**B.2. Waste Rejection Procedures.** In instances when a profiled waste has been determined to meet acceptance parameters, but upon further evaluation at the facility it is determined to not meet acceptable parameters, or the waste arrives at the facility with another waste that is not within acceptance parameters, ECC shall implement the following protocol:

- Each waste that is not within the acceptable parameters specified in its license shall be rejected.
- Rejected waste shall be shipped off-site to the generator or to an alternate authorized hazardous waste facility.
- If the rejected waste is going to remain at the facility for longer than fourteen (14) days, ECC shall notify the Department and describe the steps that have been taken to make arrangements to dispose of such waste.
- Rejected bulk wastes shall be temporarily staged in a vehicle in the Active Yard, the Primary Truck Staging Area, or the Secondary Truck Staging Area.
- Rejected containerized wastes shall be kept in the original vehicle, or placed in an alternate vehicle, or placed on pallets within a roofed and secure area designated by the Facility Manager.
- Rejected containers shall not be placed in the Drum Storage Rack.
- Label all containers of rejected waste.

### **B.3. Conditions for Storage in Tanks**

ECC is authorized to store designated wastes in above-ground tanks as described in Table B, below, in accordance with 310 CMR 30.804(25), 30.560 and 30.690. Authorization for tank storage is granted for only the hazardous waste identified in Table B. Note that hazardous and non-hazardous waste solids and semi-solids are authorized for transfer only to the solids processing unit and not authorized for transfer to the storage tanks. The liquids processing unit and bell filters shall be used to filter out solid and semi-solid materials and debris in liquid waste streams.

**TABLE B****WASTES AUTHORIZED FOR STORAGE IN TANKS**

<b><u>Waste Code</u></b>	<b><u>Description</u></b>
<b>MA01</b>	Waste Oil, Oil/Water Mixtures
<b>D001</b>	Ignitable waste†, 310 CMR 30.122, petroleum waste (flash point $\geq 100$ but $< 140$ degrees Fahrenheit)
<b>D004-D011*</b> <b>D018-D019*</b> <b>D021-D029*</b> <b>D035-D037*</b> <b>D039-D043*</b>	Toxicity Characteristic (TC) (310 CMR 30.125) Wastes. TC wastes acceptable for storage in tanks only as a constituent/contaminant of petroleum include: Petroleum Contact Wastewaters, Waste Oil/Water Mixtures, Waste Oil, and TC Non-Petroleum Wastewaters (excluding flammable, corrosive, reactive, and any listed hazardous wastes)
<b>MA97</b> Specification Used Oil Fuel	Regulated Recyclable Material
<b>MA98</b> Off-Specification Used Oil Fuel	Regulated Recyclable Material
<b>MA99</b>	Non-Hazardous Wastes
<b>MA97</b> Off-Specification unused fuel oil product (OSUFOP) for blending to make used oil fuel.	Regulated Recyclable Material† 310 CMR 30.212(7) and USEPA OSWER memo #9441.1994(18), flash point $\geq 100$ degrees Fahrenheit but $< 140$ degrees Fahrenheit, e.g., Kerosene, Diesel Fuel, Jet-A Aviation Fuel
None	Non-Hazardous Liquid Wastes  Off-Specification Commercial Chemical Products

\* Only as a constituent of petroleum or as non-petroleum waste waters

† The Licensee may store, only in tanks, hazardous ignitable wastes that have a flash point  $\geq 100$  but  $< 140$  degrees Fahrenheit.

**B.4. Conditions for Storage In Containers**

ECC is authorized to store hazardous waste solids and liquids (those with flash point greater than 140 degrees Fahrenheit) consisting of oil, oily water, oil soaked absorbents, oily soil and oily debris, and non-hazardous wastes in drums and containers in the Drum Storage Rack, in accordance with 310 CMR 30.560, 30.680, and 30.804(24). ECC is prohibited from storing in containers any hazardous waste not specified in this license, except hazardous wastes generated by ECC in its operation. Note that container (drum) storage is limited to only the Drum Storage Rack with a capacity of 2,200 gallons (40 drums of 55 gallon capacity or equivalent). Authorization for container storage is granted for hazardous and non-hazardous wastes described in Table D:

**TABLE D**  
**WASTES AUTHORIZED FOR STORAGE IN CONTAINERS**

Waste Code	Description
<b>MA01</b>	Waste Oil, Oil/Water Mixtures, Oily Solids**
<b>D004-D011*</b> <b>D018-D019*</b> <b>D021-D029*</b> <b>D035-D037*</b> <b>D039-D043*</b>	Toxicity Characteristic (TC) (310 CMR 30.125) Wastes. TC wastes acceptable for storage in containers only as a constituent/contaminant of petroleum include: Petroleum Contact Wastewaters, Waste Oil/Water Mixtures, Waste Oil, and Oily and Non-Oily Solids; and TC Non-Petroleum Wastewaters (excluding flammable, corrosive, reactive, and any listed hazardous wastes)
<b>MA97</b> Specification Used Oil Fuel	Regulated Recyclable Material
<b>MA98</b> Off-Specification Used Oil Fuel	Regulated Recyclable Material
<b>MA99</b>	Non-Hazardous Wastes
None	Non-Hazardous Liquid or Solid Wastes  Off-Specification Commercial Chemical Products

\* Only as a constituent of petroleum or as non-petroleum waste waters

\*\* Oily solids coded as MA01 consists of solids such as oil soaked absorbents, soil, debris, and sludges. It could include incidental liquids that are a result of phase separation during transportation and storage.

ECC is prohibited from accepting and storing at the facility any containers of ignitable waste (flash point < 140 degrees Fahrenheit) including any unused fuel oil product such as diesel fuel, kerosene, or Jet-A Aviation fuel that may flash at less than 140 degrees Fahrenheit.

The Container Storage Area may contain a maximum of 2,200 gallons of wastes at any time. This maximum capacity may be filled with any container that conforms to 310 CMR 30.680. Examples include, but are not limited to, steel and plastic drums, T-Paks, and totes.

The manner in which all containers shall be stored, and the construction details of the facility are shown in Figure 2.1 Site Plan and Figure 2.3 Drum Storage Rack Specifications in the Draft License.

Containers in the Drum Storage Rack shall be stored on shelving and placed two-deep in single width rows. Adequate aisle space shall be maintained between rows at all

times to allow for inspections and unobstructed access by personnel and equipment in the event of an emergency. In no case shall containers be stored more than one high on each of the three shelf levels (exception: five gallon or less containers may be stacked), and a base height for the top shelf shall be no greater than nine feet from the ground, in accordance with Figure 2.3.

Note that the Licensee may store hazardous and non-hazardous wastes generated on site in the container storage area. However, any hazardous or non-hazardous waste stored in the container area shall count toward the total storage capacity of the facility.

#### **B.5. Conditions for Storage In Roll-Off Containers**

ECC is authorized to store solids generated from the solidification activity in the solids processing unit in a single 30 yard roll-off container in compliance with the terms of the license and 310 CMR 30.680 "USE AND MANAGEMENT OF CONTAINERS". ECC is authorized to have only two roll-off containers on-site and in use at any time. One roll-off container is allowed in the containment area being actively used for accumulation of solids and one roll-off is allowed to be located in the active yard or the primary truck staging area of the facility in transportation mode (prepared for transport).

Liquids are not authorized to be stored in roll-off containers except for incidental liquids that are a result of phase separation during storage. At no time shall more than 6060 gallons (30 cubic yards) of hazardous or non-hazardous waste solids be stored in the roll-off. Solids being placed in the roll-off in the containment area are determined to be in a state of accumulation, not storage, and therefore do not count towards the facility storage capacity. For the purposes of calculation of total gallons of solids, one cubic yard of material shall be considered equivalent to two hundred and two (202) gallons of liquid.

All truck loading and unloading of roll-off containers shall take place in the active yard or primary truck staging area of the facility where any potential release could be confined within the facility's containment systems.

#### **C. Authority to Treat Hazardous Wastes and Industrial Wastewaters**

ECC is authorized to treat all hazardous and non-hazardous wastes that are identified in Section B.1 "Authority to Store Hazardous Wastes and Non-Hazardous Wastes" Table A in tanks using thermal and chemical treatment methods. The authorized thermal treatment method entails the heating of hazardous wastes in a tank to facilitate the phase separation of oil from water: the authorized chemical treatment in tanks is the addition of a demulsifier chemical also used for the separation of oil from water.

ECC is also authorized to treat wastewaters in tanks using pH adjustment and polymer injection. Treatment using pH adjustment and/or polymer injection causes heavier molecules (such as metals) to precipitate out of solution and flocculate at the bottom of

the tank. The tank bottoms are then pumped out and disposed. Resultant wastewater is transferred for further treatment through ECC's wastewater treatment system.

ECC is authorized to treat no more than 1,035,800 gallons of waste per month in the tanks in Containment Area A (i.e., the RCRA tanks). Wastes that are neither heated nor chemically treated (demulsifiers or pH adjusters/polymers), i.e., untreated waste, shall not be included in this total.

ECC may blend specification used oil fuel (SUOF), off-specification used oil fuel (OSUOF) and virgin fuel oil in tanks to produce marketable used oil fuels.

#### **D. Authorization to Manage Hazardous and Non-Hazardous Wastes**

ECC is authorized to manage hazardous and non-hazardous wastes as follows:

1. Solids and semi-solids may be placed into the solids processing unit for solidification with an agent such as sawdust. From there, the waste is transferred into a roll-off container. A filled roll-off container may be stored on-site no longer than five (5) business days prior to shipment to an off-site treatment, recycling, or disposal facility. If the roll-off container cannot be shipped within five (5) days, ECC shall notify the Department. At all times, solids processing and transfer processes shall be carried out so as to prevent any airborne emissions or any other nuisance conditions from affecting areas beyond the facility. Should a nuisance condition occur, the Licensee shall immediately suspend all activity until such time as proper corrective measures have been implemented.
2. Liquid wastes are unloaded from trucks through either a direct connection to the storage tanks via the bell filter unit which is used to remove small amounts of solid or semi-solid materials, or through the liquid processing unit if there are larger quantities of solid or semi-solid materials to be removed. All solids removed by either the bell filter system or the liquid processing unit shall be removed and placed into the solids processing unit for solidification. Non-hazardous wastewaters may also be unloaded directly to the wastewater tanks without passing through the bell filter units or the processing units.

#### **E. Authorization to Market Used Oil Fuel**

ECC is authorized to market specification used oil fuel (SUOF) and off-specification used oil fuel (OSUOF) under the requirements set forth in 310 CMR 30.220 as applicable, 310 CMR 30.250 and 310 CMR 30.260, all other applicable provisions of 310 CMR 30.000, and as otherwise provided in the Draft License (e.g., Specific Condition #4, "Blending" Sub-Section).

ECC may receive at the facility and manage for the purpose of recycling the following:

1. SUOF which has been pre-qualified prior to shipment, as meeting the criteria of a SUOF pursuant to 310 CMR 30.215 and 310 CMR 30.216, and shipped under a transporter fee-exempt MA97 waste code;
2. OSUOF which has been pre-qualified prior to shipment, as meeting the criteria of 310 CMR 30.215 and shipped under a transporter fee-exempt MA98 waste code, or
3. Used and unused waste oil shipped as a MA01 hazardous waste, subject to the transporter fee.

#### **F. Removal of Spilled Material and Stormwater**

ECC shall remove spilled or leaked waste from sumps, secondary containment areas, and loading and offloading areas as soon as possible, or at the latest, by the end of the next business day. If more time is needed, ECC shall contact the Department to request approval by demonstrating why more time is needed.

All stormwater that has a visible sheen of oil must be transferred to the hazardous waste tanks in Containment Structure A. From there, the water may be transferred to wastewater tanks in Containment Structure B. Stormwater with no visible sheen may be transferred directly to the appropriate wastewater tanks in Containment Structure B. Requirements for the storage of incoming shipments of wastewater are described in the last paragraph of Specific Condition #7 in the Draft License.

#### **G. Waste Analysis**

ECC shall perform all waste analyses according to the Waste Analysis Plan set forth in Attachment C of the Draft License.

ECC shall ensure that the Waste Analysis Plan includes all analytical methods used to test incoming/outgoing shipments of wastes. Analytical methodologies must be chosen from acceptable methods listed in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" SW-846, Third Edition, as amended by Updates I-III, and any additional final Updates as may be issued by U.S. EPA in the future. Should an appropriate method not be available in SW-846 (e.g., methods for oil testing), ECC shall choose from acceptable equivalent methods developed elsewhere (e.g., ASTM) and approved in writing by the Department.

ECC shall conduct QA/QC screening analyses as described in its Waste Analysis Plan and QA/QC Manual within twenty-four hours of bulk waste physically entering the facility and within 2 business days of containerized waste physically entering the facility.

To verify the accuracy of on-site testing ECC shall at least once every sixty (60) days verify the results of the tests required by the Waste Analysis Plan by sending a split sample of its QA/QC verification samples to a qualified independent lab for analysis.

Each waste that is not within the acceptable parameters of the Draft License shall be rejected. ECC shall ensure that rejected waste is shipped off-site either to the generator or to an alternate authorized hazardous waste facility.

#### **H. Corrective Action and Groundwater Monitoring**

ECC shall maintain a Corrective Action and Groundwater Monitoring Program in accordance with the provisions of Attachment K of the license – Corrective Action and Groundwater Monitoring. All activities shall be conducted in compliance with 310 CMR 40.0113 RCRA Authorized State Hazardous Waste Program of the Massachusetts Contingency Plan. This condition is established as a Specific Condition in Part I, Section B.8. of the Draft License pursuant to 320 CMR 30.829.

#### **V. Summary of License Conditions**

In order to operate a hazardous waste management facility in Massachusetts, a licensee must comply with the requirements of the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000, and all other applicable State and Federal statutes and regulations. These requirements are clearly stated in the terms and conditions of the license, and failure to comply with them may result in suspension or revocation of the license or other enforcement actions by the Department and/or the Office of the Attorney General.

The licensee must properly operate and maintain the facility to prevent any actual or potential threat to the public health, safety, welfare and the environment. In addition, the licensee shall act to prevent all actual and potential adverse impacts to persons and the environment resulting from non-compliance and will be responsible for paying for damages caused by such non-compliance.

The licensee must provide records of activities to the Department, allow inspections, and inform the Department of any changes in activities or to the facility. In all cases, it is the obligation of the licensee to meet the burden of proof to persuade the Department that the applicant is competent with respect to hazardous waste activities. All documents submitted to the Department must be certified under penalty of law. In the event of an emergency involving hazardous waste that could threaten public health, safety, welfare and the environment, the hazardous waste emergency response coordinator will invoke the facility contingency plan, which includes notification to the Department's Southeast Regional Office in Lakeville, MA.

#### **VI. License Organization**

The draft license is organized as follows: Part I, Facility Operating Conditions; Part II, Facility Management Requirements; and Attachments, tables, and figures.



Part I contains three sections that describe the general license conditions, specific conditions, the use and management of containers, and storage and off-loading tanks.

- Specific License Conditions
- Use and Management of Containers
- Storage and Off-Loading Tanks

Part II contains thirteen sections that describe facility management requirements for:

- Required Notices
- Manifest Systems
- Recordkeeping and Reporting
- Ignitable, Reactive, and Incompatible Wastes
- General Waste Analysis Plan and Procedures
- Security Plan and Procedures
- Facility Inspection Plan and Procedures
- Personnel Training Plan and Procedures
- Preparedness and Prevention
- Contingency Plan and Procedures
- Closure Plan and Procedures
- Financial Responsibility
- Additional Federal Regulations

Part II is followed by a compilation of supporting attachments, tables and figures:

- General Facility Description
- Process Description
- Waste Analysis Plan & QA/QC Manual
- Security Plan
- Inspection Plan
- Personnel Training Plan
- Preparedness & Prevention
- Contingency Plan
- Closure Plan
- Financial Requirements
- Corrective Action
- Site Photographs
- Closure Trust Fund
- Sample Certificate of Insurance
- 2005 Part A Application
- Background Information as Required by 310 CMR 30.803
- Other Information, which includes the following:
  - Key personnel and contractors, organization charts, and resumes
  - Financial reports for the last 3 years
  - Annual Report for Foreign Corporations

- Consent order (2001)
- ECC Site Assignment, Host Community Agreement with the Town of Stoughton – 1992 & SOPs
- Storage/Treatment Tank and Manifold System Design Specifications
- Tank Overfill Protection Specifications
- Latest Annual Reports for Tank and Processing Units Inspection/Thickness Testing of Tanks and Processing Units
- Fire Suppression and Detection Systems Specifications
- Sprinkler/Fire Alarm System Inspection Report
- Odor/Emission Control System Specifications & SOP (Liquids and Solids Processing Units)
- Vapor Recovery System Specifications & SOP (Storage Tanks)
- MWRA Sewer Use Discharge Permit (May 4, 2007)
- Table of Contents from OSHA HAZWOPER Training
- Current Permit Notice in Registry of Deeds
- Example of Letter of Certification (Waste Profile) and Chain-of-Custody Form
- Hours of Operation

## **VII. Location of Available Information**

A copy of the Draft License and additional copies of this Fact Sheet will be available at:

Stoughton Board of Health  
10 Pearl Street  
Stoughton, MA 02072  
Contact: James Conlon,  
Environmental Affairs Officer  
(781) 341-1300 ext. 262

Stoughton Town Library  
84 Park Street, P.O. Box 209  
Stoughton, MA 02072  
Contact: Patricia Basler, Director  
(781) 344-2711

Stoughton Fire Department  
Station Number Two  
1550 Central Street  
Stoughton, MA 02072  
Contact: David M. Jardin, Chief  
(781)- 344-3170 ext. 200

US Environmental Protection Agency  
New England – Region I  
1 Congress St., Suite 1100 CHW  
Boston, MA 02114-2023  
Contact: Sharon Leitch  
(617) 918-1647

Department of Environmental  
Protection  
Bureau of Waste Prevention  
Business Compliance Division  
One Winter Street, 7th Floor  
Boston, MA 02108  
Contact: Thomas Adamczyk  
(617) 292-5580

Department of Environmental  
Protection  
Southeast Regional Office  
Bureau of Waste Prevention  
Business Compliance Division  
20 Riverside Drive  
Lakeville, MA 02347  
Contact: Eric Johnson  
(508) 946-2795

## **VIII. Appeal Procedures**

Pursuant to Massachusetts General Law (MGL) Chapter 21C, Section 11, any person aggrieved by a determination by the Department to issue or deny a license and has legal standing to do so, may request an adjudicatory hearing before the Department. For the purposes of 310 CMR 30.000, an “aggrieved person” shall be deemed to be any person who is or may become a “party” or “intervener” pursuant to 310 CMR 1.00. A person aggrieved by a final decision in any adjudicatory proceeding may obtain judicial review thereof pursuant to the provisions of M.G.L. c. 30A. This license is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within twenty-one (21) days of the Notice of Final License Decision.

### **CONTENTS OF HEARING REQUEST**

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the permit is not consistent with applicable laws and regulations.

### **FILING FEE AND ADDRESS**

The hearing request along with a valid check payable to the Commonwealth of Massachusetts in the amount of \$100 must be mailed to:

Commonwealth of Massachusetts  
Department of Environmental Protection  
P.O. Box 4062  
Boston, MA. 02211

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below.

### **EXCEPTIONS**

The filing fee is not required if the appellant is a city or town (or municipal agency), county, district of the Commonwealth of Massachusetts, or municipal housing authority.

### **WAIVER**

The Department may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

This Fact Sheet was prepared by the MA DEP, Business Compliance Division, Bureau of Waste Prevention. For additional information contact Thomas Adamczyk at (617) 574-6867.



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

DEVAL L. PATRICK  
Governor

TIMOTHY P. MURRAY  
Lieutenant Governor

IAN A. BOWLES  
Secretary

LAURIE BURT  
Commissioner

Summary Response to Comments  
Environmental Compliance Corporation (ECC)  
August 2007

Submitters: Stoughton Citizens Association for the Protection of Our Water Resources and Environment

1. **Comment/Question.** Is it possible that a sudden and lengthy electrical power failure could cause the release of air and liquid contaminants to the environment? Are there any back-up electrical systems in place at the facility?

**Response:** Loss of power would not cause liquid waste in the storage tanks to escape, as flow control valves would remain closed. In the unlikely event of a release from a malfunctioning valve, the storage tanks are located in a tank farm that is fully enclosed within a secondary containment unit that is capable of containing 43,952 gallons. This secondary containment capacity provides extra protection as it exceeds the regulatory requirement of 31,350 gallons. The two processing units are not used for storage of waste materials. There is no back-up electrical system in-place at the Facility.

2. **Comment/Question.** In the event of a severe storm as in the 100 year storm scenario, if the facility is underwater, is there a possibility of release of contaminants?

**Response:** The facility is not located within a 100 year flood plain and there is no historical information to indicate that flood conditions have ever occurred in this location. Nevertheless, should a flooding event occur, it is unlikely that a release of hazardous waste contaminants would occur as the hazardous waste is stored in leak-tight tanks, and the tanks are located in the secondary containment unit described in the response to item 1 above.

3. **Comment/Question.** It is the understanding of the Association that the effluent released into the public sewer system is under the control of the Massachusetts Water Resource Department and not the MADEP. However, we believe the sewer connection, metering, effluent testing and operation should be fully described within the license documentation. Contact information for the MWRA should be included.

**Response:** While the MWRA permit governs wastewater facility operations at ECC, the MassDEP has included for informational purposes a copy of the MWRA Sewer Use Discharge Permit (dated May 4, 2007) as Attachment Q13 of the ECC facility license. This MWRA permit includes all details regarding the wastewater treatment processes that occur on-site.

4. **Comment/Question.** There are groundwater test wells surrounding the facility. The Association used to receive copies of the test well reports on a regular basis. Are the test wells still being tested? Are the reports available for citizen review?

**Response:** Yes, there are test wells and they are monitored twice a year; in the spring and fall. The annual reports are submitted to MassDEP and are available for review in our Boston office. In addition, the MassDEP will insure that the 2006 and subsequent Groundwater Monitoring Summary reports are placed in the public information repository at the Stoughton Library.

5. **Comment/Question.** Are there reports generated by the facility during their operations such as testing of incoming loads, treatment processes, air emissions and processed effluent that can be accessed and reviewed by the public on a regular basis?

**Response:** ECC tests all incoming loads of waste material to ensure that the waste material meets the criteria for acceptance. ECC keeps all testing data on-site and it is available to MassDEP for review during inspections of the facility. Also, the emissions from the odor emission control system is tested daily and recorded. All records submitted to MassDEP are available to the public upon request. In addition, as part of the Site Assignment and/or Host Community Agreement negotiated with Jet-Line Service, Inc., the former owner of the facility, the Town of Stoughton's Board of Health may directly request from the facility any information relevant to its hazardous waste activities.

6. **Comment/Question.** It is the understanding of the Association that the existing facility license set aside several thousand dollars for the Town of Stoughton to use to hire a consultant each year to review the previous year's operational documentation and to conduct a physical review of the facility, the processes and facility equipment to ensure compliance with M.G.L. c.21C. Is this provision part of the Draft License? Has the town taken advantage of this provision recently? Language for this agreement is contained within either the Site Assignment or Host Agreement between the Town of Stoughton and the Environmental Compliance Corporation.

**Response:** Facility licenses that were issued in the past, and the newly issued facility license do not include a provision for the funding of a consultant to conduct a physical review of the facility's operational activities. There appears to have been a condition in the Host Community Agreement authorizing this type of activity, however the Host Community Agreement is a legal agreement between the Town of Stoughton and Jet-line Services, Inc., the previous owners of the facility: MassDEP is not a party to this

agreement. Therefore, questions regarding the execution of the Host Community Agreement should be directed to the Town of Stoughton.

7. **Comment/Question.** Several years ago, the Engineering department of the town informed the Association that the Site Assignment and Host Agreement documents were being reviewed and updated with the then, new owners of the facility. Are there revised and signed Site Assignment and Host Agreement documents in place at this time? If not, are there plans to create these important documents? (the Association members revised the Jet-Line versions of the Site Assignment and Host Agreement documents and would be happy to supply copies to the Environmental Compliance Corporation and to the Town of Stoughton if requested)

**Response:** Site Assignment is issued under the authority of the Stoughton Board of Health, and the Host Community Agreement is a legal agreement negotiated between the Town of Stoughton and the Facility. The MassDEP has no authority in these matters. These questions should be directed to the Stoughton Board of Health.

8. **Comment/Question.** The entry road into the facility is in need of repair and possibly repaving. There are potholes (recently filled with sand?) in the roadway and especially in the apron of the roadway as it connects to Canton Street. Are there plans to repair the roadway in place?

**Response.** The entry road is not addressed in the hazardous waste facility permit as it is outside of the jurisdiction of the MassDEP hazardous waste regulations. This question should be directed to ECC and/or the Town of Stoughton.

9. **Comment/Question.** A number of very large trucks coming to and returning from the facility use some of the side streets near the facility. Private and town property adjacent to one of these streets, Pratts Court Extension, has been damaged by these vehicles. The Association requests that the Environmental Compliance Corporation meet with the Stoughton Police, Fire Department and Public Works Department to agree on the side streets to be used and to make customers that use the site aware of them.

**Response:** The negotiation of any such agreement is a matter to be conducted between the Town of Stoughton and the Facility.

10. **Comment/Question.** Have any emergency simulation tests, fire, spill, spill cleanup, worker and customer injuries, equipment failure, etc. been conducted at the facility? Are there any simulations planned?

**Response:** MassDEP has no knowledge of any emergency simulation tests. Emergency simulation tests are not a regulatory requirement for the licensing of hazardous waste facilities.

11. **Comment/Question.** Association members noticed that the snow plowing of the entry road this past winter, 2006/2007, was not performed very well, not as efficiently as in prior

winter seasons. We believe professional plowing, sanding and salting are warranted. In addition, the emergency entry road receives no attention all year. We believe it should be inspected often, repaired and maintained as necessary and plowed after winter storms. (the emergency road is located toward the southern end of the facility and is for the use of fire and emergency personnel in the event that the main entrance cannot be accessed)

**Response:** The entry road is not addressed in the hazardous waste facility permit as it is outside of the jurisdiction of the MassDEP hazardous waste regulations. This question should be directed to ECC and/or the Town of Stoughton.